

MESSAGE NO: 5055301 MESSAGE DATE: 02/24/2015

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 80 FR 6041 FR CITE DATE: 02/04/2015

REFERENCE 2363316, 5041302  
MESSAGE #  
(s):

CASE #(s): A-570-863

EFFECTIVE DATE: 02/04/2015 COURT CASE #:

PERIOD OF REVIEW: 12/01/2013 TO 11/30/2014

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Automatic liquidation instruction for honey from the People's Republic of China for the period 12/01/2013 through 11/30/2014 (A-570-863)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.
2. Commerce has not received a request for an administrative review of the antidumping duty order for the period and on the merchandise identified below except for the firms listed in paragraph 3. Therefore, in accordance with 19 CFR 351.212(c), you are to liquidate all entries for all firms except those listed in paragraph 3 and assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect on the date of entry.
3. Entries of merchandise of the firms listed below should not be liquidated until specific instructions are issued. Continue to suspend liquidation of all entries of merchandise exported by the listed firms entered, or withdrawn from warehouse, for consumption during the period 12/01/2013 through 11/30/2014.

Company: Dongtai Peak Honey Industry Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-863-000.

Company: Kunshan Xinlong Food Co., Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-863-000.

Company: Lee Hoong Kee Ltd.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-570-863-000.

CBP officers must also examine entries under A-570-863-000 and all existing company-specific

case numbers to ensure the continued suspension of liquidation of entries during the applicable period of review for the exporters listed above.

4. In assessing the final antidumping duties for shipments made by the entities other than those entities listed in Paragraph 3 above, please be advised that on 02/05/2015, the U.S. Court of International Trade issued a temporary restraining order (TRO) enjoining liquidation of entries which are subject to the antidumping duty order on honey from the People's Republic of China (A-570-863) for the period 05/11/2001 through 02/05/2015. The TRO was issued in connection with court number 02-00064 and is detailed in Message number 5041302. Accordingly, until further notice, do not liquidate such entries of subject merchandise produced, exported, or imported from the People's Republic of China by any of the firms noted below:

Zhejiang Native Produce & Animal By-Products Import & Export Corp.,  
Kunshan Foreign Trade Co.,  
China (Tushu) Super Food Import & Export Corp.,  
High Hope International Group Jiangsu Foodstuffs Import & Export Corp.,  
National Honey Packers & Dealers Association,  
Alfred L. Wolff, Inc.,  
C.M. Goettsche & Co.,  
China Products North America, Inc.,  
D.F. International (USA) Inc.,  
Evergreen Coyle Group Inc.,  
Evergreen Produce Inc.,  
Pure Sweet Honey Farm Inc., and  
Sunland International Inc.

The injunction with court number 12-00411, in message number 2363316, dated 12/28/2012, is applicable to entries of subject merchandise which were exported by Dongtai Peak Honey Industry Co., Ltd. and entered, or withdrawn from warehouse, for consumption during the period 12/01/2010 through 11/30/2011. Accordingly, until further notice, continue to suspend liquidation of these entries until liquidation instructions are provided.

5. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 12/2014 anniversary month (80 FR 6041, February 4, 2015). Unless instructed otherwise, for all other shipments of honey from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:KJA.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party